

1 THE HONORABLE JAMAL N. WHITEHEAD
2
3
4
5
6

7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON

9 VALVE CORPORATION,

10 Plaintiff,

11 v.

12 THOMAS ABBRUZZESE, et al.,

13 Defendants.

Cause No. 2:24-cv-1717-JNW
RESPONDENT GREG FISH'S
ANSWER TO PETITION TO ENJOIN
ARBITRATIONS

14 Respondent Greg Fish (“Respondent”) hereby answers Petitioner Valve Corporation’s
15 (“Valve”) Petition to Enjoin Arbitrations (“Petition”) and asserts its affirmative defenses as
16 follows:

17 GENERAL DENIAL

18 Under Federal Rule of Civil Procedure 8(b)(3), Respondent generally denies all
19 allegations in the Petition, including the jurisdictional grounds alleged therein. Further,
20 Respondent is not named in any specific allegation and only appears in the heading and
21 appendix of the Petition and therefore lacks knowledge and information as to all allegations
22 that do not specifically pertain to him.¹

23
24
25
26 ¹ In fact, the majority of the allegations are redundant, immaterial, impertinent, and
scandalous and should be stricken *sua sponte* under Federal Rule of Civil Procedure 12(f)(1).

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

1. The Petition, in whole or in part, is barred by Petitioner's contract breaches.

SECOND AFFIRMATIVE DEFENSE

2. The Court lacks personal jurisdiction over Respondent.

THIRD AFFIRMATIVE DEFENSE

3. The Petition fails to state a claim upon which relief can be granted.

FOURTH AFFIRMATIVE DEFENSE

4. The Petition, in whole or in part, is barred by the doctrine of estoppel.

FIFTH AFFIRMATIVE DEFENSE

5. The Petition, in whole or in part, is barred by the doctrine of unclean hands.

SIXTH AFFIRMATIVE DEFENSE

6. The Petition, in whole or in part, is barred by the doctrine of waiver.

SEVENTH AFFIRMATIVE DEFENSE

7. The Petition is barred because Petitioner did not incur any injury or damages cognizable at law.

EIGHTH AFFIRMATIVE DEFENSE

8. Petitioner's injuries and damages, if any, were caused by the conduct of Petitioner and its representatives, for which Respondent is not responsible.

NINTH AFFIRMATIVE DEFENSE

9. Petitioner's injuries and damages, if any, are barred to the extent Petitioner failed to mitigate its injuries and damages.

1 Respondent reserves the right to add or supplement this answer with additional
2 affirmative defenses and/or counterclaims.
3

4 Dated: May 29, 2025

Respectfully Submitted,

5 **BAILEY DUQUETTE P.C.**

6 /s/ William R. Burnside
7 William R. Burnside, WSBA #36002
8 800 Fifth Avenue, Suite 101-800
9 Seattle, Washington 98104
10 Tel. 206.225.2250
11 Email: will@baileymduquette.com

12 *Attorney for Respondent*

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on this date, I caused a true and correct copy of the foregoing
3 RESPONDENT GREG FISH'S ANSWER TO PETITION TO ENJOIN ARBITRATIONS
4 served upon counsel of record herein, as follows:

5 Blake Marks-Dias, WSBA No. 28169
6 1015 Second Avenue, Floor 10
7 Seattle, Washington 98104
8 (206) 625-8600 Phone
9 (206) 625-0900 Fax
10 E: bmarksdias@corrcronin.com

11 Via Electronic Service

12 Michael W. McTigue Jr., *Admitted Pro Hac Vice*
13 Meredith C. Slawe, *Admitted Pro Hac Vice*
14 SKADDEN, ARPS, SLATE,
15 MEAGHER & FLOM LLP
16 One Manhattan West
17 New York, New York 10001
18 E: michael.mctigue@skadden.com
19 E: meredith.slawe@skadden.com

20 I declare under penalty of perjury under the laws of the State of Washington
21 that the foregoing is true and correct.

22 Dated: May 29, 2025 at Seattle, Washington.

23 _____
24 s/ William R. Burnside
25 William Burnside, WSBA No. 36002